

### **Remarks**

This amendment is filed as a submission with the filing of the RCE in response to the final rejection Office Action of April 20, 2006, and further subsequent to the interview held between the examiner and the undersigned on June 13, 2006.

Appreciation is hereby expressed to the examiner for the courtesy he extended to the undersigned during the interview.


Per the above amendment, independent claims 1, 11 and 20 each have been amended. Also dependent claims 9, 19 and 28 have been amended to more accurately reflect the claimed invention.

With the amendment to claims 1 and 20, it is believed that the rejection of those claims under 35 U.S.C. 112, first paragraph, is now moot.

As Gyure et al. (US 5,681,295) was the main reference upon which the examiner relied upon for rejecting claims 1-5, 8-24 and 27-28 pending in the application, the interview was focused to Gyure. As discussed, independent claims 1, 11 and 20 each have been amended to recite that the sheath of the instant invention has only one side, or surface, in contact engagement to the collar to cover the needle that extends at the distal end of the needle hub. In contrast, as pointed out by the examiner in the Office Action, even if hub base 330 were to be construed as part of the collar 341 in contradistinction to what is taught by Gyure, the open end of needle cover 337 would be considered to be press-fitted to the space formed between collar 341 and base hub 330. Moreover, if base hub 330 were considered to be a part of needle hub 328, as taught by Gyure, needle cover 337, as shown in Fig. 12, would then be in contact with the needle hub.

In view of the above, it is respectfully submitted that the instant invention, as set forth in the pending claims, is patentably distinguishable over the prior art. Reconsideration of the application and allowance of the case are earnestly solicited.

Respectfully submitted,



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